

**RECEIVED  
CENTRAL FAX CENTER**

NOV 20 2008

**FAX TRANSMISSION**

DATE: November 21, 2008

PTO IDENTIFIER: Application Number 10/797,713-Conf. #4304  
Patent Number

Inventor: Rolf U. Halden

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: EDWARDS ANGELL PALMER &amp; DODGE LLP

Jonathan M. Sparks, Ph.D.

PHONE: (617) 517-5543

Attorney Dkt. #: 62588(71699)

PAGES (Including Cover Sheet): 28

CONTENTS: Certificate of Transmission (1 page)  
Fee Transmittal (1 page)  
Amendment Transmittal (1 page)  
One Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)  
Notice of Appeal (1 page)  
Response to Office Action (22 pages)  
Charge \$335.00 to deposit account 04-1105

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 517-5543 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

EDWARDS ANGELL PALMER & DODGE LLP  
P.O. Box 55874, Boston, Massachusetts 02205  
Telephone: (617) 239-0100 Facsimile: (617) 227-4420

NOV 21 2008

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/797,713

Attorney Docket No.: 62588(71699)

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on November 21, 2008  
Date



Signature

Jonathan M. Sparks, Ph.D.

Typed or printed name of person signing Certificate

53,624

Registration Number, if applicable

(617) 517-5543

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)

Amendment Transmittal (1 page)

One Month Request for Extension of Time Under 37 CFR 1.136(a) (1 page)

Notice of Appeal (1 page)

Response to Office Action (22 pages)

Charge \$335.00 to deposit account 04-1105

Customer Number 21874

NOV 21 2008

PTO/SB/17 (10-05)

Approved for use through 06/30/2010. OMB 0851-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number

<b>Effective on 12/03/2004.</b> <b>Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</b> <b>FEE TRANSMITTAL</b> <b>For FY 2009</b>		<b>Complete if Known</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number 10/797,713-Conf. #4304	Filing Date March 10, 2004
TOTAL AMOUNT OF PAYMENT (\$) 335.00		First Named Inventor Rolf U. Halden	Examiner Name W. H. Beisner
		Art Unit 1797	Attorney Docket No. 62588(71699)

  

<b>METHOD OF PAYMENT (check all that apply)</b>	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	<input checked="" type="checkbox"/> Deposit Account    Deposit Account Number: 04-1105    Deposit Account Name: Edwards Angell Palmer & Dodge LLP
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee <input checked="" type="checkbox"/> Credit any overpayments

  

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	330	165	540	270	220	110	
Design	220	110	100	50	140	70	
Plant	220	110	330	165	170	85	
Reissue	330	165	540	270	650	325	
Provisional	220	110	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
						Small Entity	
Fee Description						Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)						52	26
Each independent claim over 3 (including Reissues)						220	110
Multiple dependent claims						390	195
Total Claims		Extra Claims	Fee (\$)	Fees Paid (\$)	Multiple Dependent Claims		
- 20 or HP		x	=		Fee (\$)		Fees Paid (\$)
HP = highest number of total claims paid for, if greater than 20.							
Indep. Claims		Extra Claims	Fee (\$)	Fees Paid (\$)			
- 3 or HP		x	=				
HP = highest number of independent claims paid for, if greater than 3.							
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)			
- 100 =	/60 =	(round up to a whole number) x	=				
<b>4. OTHER FEE(S)</b>							
Non-English Specification, \$130 fee (no small entity discount)				Fees Paid (\$)			
Other (e.g., late filing surcharge): 2251 Extension for response within first month				65.00			
2401 Notice of appeal				270.00			

  

<b>SUBMITTED BY</b>			
Signature	Registration No. (Attorney/Agent)	53,624	Telephone (617) 517-5543
Name (Print/Type)	Jonathan M. Sparks, Ph.D.		Date November 21, 2008

BOS2 703180.1

NOV 21 2008

AMENDMENT TRANSMITTAL LETTER				Docket No. 62588(71699)	
Application No. 10/797,713-Conf. #4304	Filing Date March 10, 2004	Examiner W. H. Beisner	Art Unit 1797		
Applicant(s): Rolf U. Halden					
Invention: RAPID IDENTIFICATION OF MICROBIAL GENOTYPES AND PHENOTYPES					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims		- 20 =		x	
Independent Claims		- 3 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within first month; Notice of appeal					335.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					335.00
<input type="checkbox"/> Large Entity <span style="float: right;"><input checked="" type="checkbox"/> Small Entity</span>					
<input type="checkbox"/> No additional fee is required for this amendment.					
<input checked="" type="checkbox"/> Please charge Deposit Account No. <u>04-1105</u> in the amount of \$ <u>335.00</u> . A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-1105</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
Jonathan M. Sparks, Ph.D. Attorney/Agent Reg. No.: 53,624  EDWARDS ANGELL PALMER & DODGE LLP P.O. Box 55874 Boston, Massachusetts 02205 (617) 517-5543					Dated: <u>November 21, 2008</u>

BOS2 703192.1